

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-9 and 11-20 are pending and stand rejected. Claims 1, 11 and 16 have been amended.

Claims 1-9 and 11-20 stand rejected under 35 USC 102(b) as being anticipated by Kinney (USP no. 5,808,662).

Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claims. However, in the interest of advancing the prosecution of this matter, applicant has elected to amend independent claims 1, 11 and 16 to more clearly state the invention. More specifically, the independent claims have been amended to recite the transmission of "transmitting a system status signal from the first personal video recorder to the at least one second personal video recorder, said status signal being transmitted after each command or after a predetermined time after no commands have occurred." No new matter has been added. Support for the amendment may be found at least on page 10, lines 2-10.

Kinney teaches a system and method for synchronized playback and control of a time-based digital media. The system and method allows two participants operating on different playback systems at different location to simultaneously view and control the playing of the digital media. Kinney discloses "the transfer of a number of data structures or 'events' over the network... Each data structure contains at least an event identification, sequence number and event specific data. The identification is a unique tag that denotes the action that is to take place... Each data structure contains a data field that is associated with a user defined action that is applied to the playback engine... These actions include: play, stop, and seek." (see col. 5, lines 36-50). A "seek event" includes a tag that indicates that a participant wants to advance to a specific frame with the movie and further includes a time and a timescale. Time divided by timescale represents the number of seconds from the start of the movie. (see col. 6, lines 1-9). Kinney further discloses that the seek event is used to synchronize the operation of the remote devices. See, for example, col. 7, lines 34-36, which state, "[a] seek event is sent by the participant initiating the event so that all movies at remote playback systems are

synchronized." And col. 7, lines 40-41, which state "[c]ombining a seek event along with a stop event allows the present invention to maintain synchronization of each movie."

Kinney, accordingly, describes a system that employs a seek event, i.e., a synchronization means, to perform synchronization when a command is transmitted. However, Kinney fails to disclose that a seek event is transmitted subsequent to commands. Rather Kinney teaches that the seek event is transmitted prior to the command, if the command is sent. (see, for example, col. 6, lines 59-62, which state, "[a] master sends back a seek event and optionally a play event in response to the hello event."). Hence, Kinney fails to disclose that a status message, i.e., a seek event, is sent after a command. Kinney further fails to disclose that a status message is transmitted "after a predetermined time after no commands have occurred," as is recited in the claims. With regard to the independent transmission of a status message, Kinney is totally silent.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. Kinney cannot be said to anticipate the present invention, as recited in claim 1, for example, because Kinney fails to each and event element recited in the claims.

Having shown that Kinney fails to disclose each and every element claimed, applicant submits that the reason for the examiner's rejection of claim 1 has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to independent claims 11 and 16, these claims have been amended in a manner similar to the amendment made with regard to claim 1 and have been rejected citing the same reference used in rejecting claim 1. Accordingly, the remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of claims 11 and 16. In view of the amendments made to the claims and for the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, in response to the rejection of claims 11 and 16, applicant submits that the rejection of these claims has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested

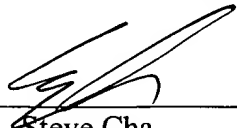
Applicant wishes thank the examiner for his noting applicant's incorrect reference to page 5, lines 2-10 as providing support for the proposed amendments in applicant's response to the prior Office Action. After a review the written description, applicant would note that the language supporting the amendments in the prior Office Action may also be found on page 10, lines 2-10. Applicant submits that the reference to page 5 was merely a typographical error and that there was no intention to deceive or provide misleading information to the examiner.

Although the last Office Action was made final, this amendment should be entered. No matter has been added to the claims that would require comparison with the prior art or any further review. Accordingly, pursuant to MPEP 714.13, applicant's amendments should only require a cursory review by the examiner. The amendment therefore should be entered without requiring a showing under 37 CFR 1.116(b).

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,
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